

USCIRF Chair Katrina Lantos Swett gave the following remarks at a conference, cosponsored by USCIRF and Georgetown University's Berkley Center for Religion, Peace & World Affairs on December 7, 2012.

Thank you for that kind introduction.

I'd like to take this opportunity to welcome all of you to our new home, which happens to be right across the street from our old home.

As some of you may know, we moved here less than two months ago and I'm happy to say we seem to be settling in pretty well.

So let me thank all of you for coming here, and let me especially acknowledge our friends and co-laborers in religious freedom at Georgetown's Religious Freedom Project, who have graciously partnered with us in co-sponsoring today's event.

I'd like to set the table for this event by talking about several things -- why religious freedom matters, how it's in jeopardy, the challenge posed by violent religious extremism, and how constitutional reform, if done correctly, can counter extremism and advance liberty.

During the time that I have, I'm going to limit my remarks to Muslim-majority countries, since they are the focus of our Commission's constitutional study, which is a vital part of today's event.

So that means I will be omitting countries like Russia, from which I recently returned after making an official USCIRF visit, or China, where nearly a quarter of the world's population resides. In no way does this imply that such nations are less culpable of religious freedom violations. On the contrary, the religious freedom situation in Russia is deteriorating and China remains one of the world's most egregious violators of this fundamental right. In fact, in both of these countries, religious freedom conditions for Muslims are especially bad, along with conditions for other religious communities.

So with this caveat in mind, let's begin.

Today, there are three inescapable facts that that serve as a starting point for any discussion about religious freedom.

First, across the globe, religion matters.

From worship to prayer, births to funerals, weddings to holy days, almsgiving to thanksgiving, for billions of people, religion remains an inescapable source of identity, meaning, and purpose.

Second, because religion matters to so many, so does religious freedom.

Simply stated, people want the freedom to practice or not practice any religion according to the dictates of conscience.

Third, in all too many countries, the very freedom that people want is being denied.

According to a Pew Research study released in August of this year, 75 percent of the world's population—over 5 ***billion*** human beings --live in countries with very high restrictions on religion. These restrictions can range from onerous rules and regulations to imprisonment, torture, and even murder.

Abuses of religious freedom must never go unchallenged.

This is not just the opinion of the United States or a reflection of our First Amendment.

It's a fundamental premise of international human rights law.

In 1948, the world community created and adopted the landmark Universal Declaration of Human Rights, including Article 18, which states the following about freedom of religion or belief:

Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Since 1966, the governments of 167 countries have signed the International Covenant on Civil and Political Rights, a binding treaty with protections similar to Article 18.

Nations around the world also affirmed the 1981 Declaration on Religious Intolerance, and other regional bodies, such as the OSCE, the Council of Europe, and the Organization of American States also affirm religious freedom as a fundamental liberty.

As an independent, bipartisan, U.S. federal government commission, USCIRF is firmly committed to the human rights standards found in these documents.

Clearly, religious freedom is a pivotal human right that must be defended.

Three Kinds of Religious Freedom Violations

As a key part of its mandate, USCIRF monitors religious freedom worldwide and makes policy recommendations to the President, the Secretary of State, and Congress.

Based on our monitoring of religious freedom conditions, we have found there are at least three kinds of violations engaged in or allowed by nations and their governments.

- First, there is state **hostility** toward religion, religious communities, and religious leadership.
- Second, there is state **sponsorship** of violent extremist religious ideology and education.
- And third, there is state **failure** to prevent and punish religious freedom violations.

State **hostility** involves the government actively persecuting people or groups on account of their beliefs.

State **sponsorship** refers to the government actively promoting -- including exporting -- religious ideas and propaganda, often of a violent, extremist nature, that include calls to violate the religious freedom of others.

And state **failure** means that the government is neglecting to take action to protect people whom others are targeting due to their beliefs, creating a climate of impunity in which religious dissenters are threatened, intimidated, or even murdered.

When it comes to state **hostility** toward religions, one of the worst persecutors is the theocratic government of Iran.

The Iranian government has executed people for “waging war against God.” It has relentlessly targeted reformers among the Shi’a Muslim majority, as well as religious minorities, including Sunni and Sufi Muslims, Bahai’s, Christians. It has stirred up anti-Semitism by promoting Holocaust denial.

Regarding state **sponsorship** of radical ideology which targets the religious freedom of others, Saudi Arabia’s autocratic monarchy continues to export its own extremist interpretation of Sunni Islam through textbooks and other literature which teach hatred and even violence toward other religious groups.

Extremist references that devalue “the other” are also found in educational materials and textbooks in Iran and Pakistan.

Regarding state **failure** to protect religious freedom, the actions of the governments of Egypt and Pakistan exemplify those of nations which do **not** protect their citizens against religiously-related violence.

In Egypt, since the fall of Hosni Mubarak, the government has continued to tolerate widespread abuses against religious minorities, including Coptic Orthodox and other Christians, as well as Baha’is, Shi’a Muslims, and dissident Sunni Muslims.

It has failed to take adequate steps to bring the perpetrators of violence to justice or to respond to virulent anti-Semitism in state-controlled media.

In Pakistan, the government’s failure to protect religious freedom was on brutal display earlier last year with the assassinations of Salmaan Taseer, a Muslim who was Governor of Punjab province, and Shahbaz Bhatti, a Christian who was Pakistan’s Minister for Minority Affairs and a longtime religious freedom advocate.

Both officials were killed for opposing Pakistan's draconian blasphemy law, which is used against Muslims and non-Muslims alike.

Clearly, impunity remains one of world's most serious and growing religious freedom obstacles.

Across much of the world, there have been extremely disturbing incidents of religiously-related violence which are not being addressed by investigations, trials, or punishments.

Religious Freedom vs. Violent Religious Extremism

In viewing these three types of violations, we see a strong correlation between lack of religious freedom and lack of social stability and harmony.

Indeed, a number of studies show that while countries that honor and protect religious freedom are more peaceful, stable and prosperous than those that do not, nations that trample on this freedom provide fertile ground for poverty and insecurity, war and terror, and violent radical movements and activities.

Evidence for this can be seen in the trail of nations hosting Osama bin Laden in the years and decades before the 9/11 attacks. All of these countries – Afghanistan, Saudi Arabia, Sudan, and Pakistan – had either perpetrated or tolerated world-class violations of religious freedom. Indeed, bin Laden was educated in one of them -- Saudi Arabia.

Last Tuesday, we saw further evidence in the release by the Institute for Economics and Peace, based in Sydney, Australia, of its Global Terrorism Index which ranked nations based on the number of terrorist attacks committed between 2002 and last year.

Seven of the top ten nations are either on our Commission's Watch List of serious religious freedom violators or among our recommendations to the State Department for CPC status, marking them, in our judgment, as the world's worst religious freedom abusers. These seven countries are Iraq, Pakistan, Afghanistan, India, Somalia, Nigeria, and Russia.

This leads us to a question: Why is there a correlation between lack of religious freedom and the presence of social disharmony, including violent religious extremism?

There are at least three plausible answers.

First, governments that actively persecute people or fail to protect them against persecution can unwittingly drive these people into the hands of violent religious extremist groups opposing the government.

Second, governments that enforce laws which violate religious freedom, such as blasphemy laws, unwittingly encourage individuals to aggressively monitor members of disfavored religious groups for signs of trespass, and to take violent action against perceived transgressors. A key example is that of Pakistan and the assassinations of Bhatti and Taseer.

And finally, governments that restrict the religious freedoms of all of their citizens in the name of fighting violent religious extremist groups unwittingly end up strengthening these same groups by weakening their more moderate but less resilient competition. A key example is that of Egypt, which under the rule of President Mubarak ended up strengthening the Salafists while weakening their less radical opponents, from moderate Muslims to liberal secularists.

The Arab Spring and the Future

So what can be done about religious freedom violations?

To follow up on the nations I've just mentioned, when it comes to Iran, we see the problem as religious repression through the dictates of specific Iranian officials, and we are convinced that part of the solution is to continue to identify those officials – including Supreme Leader Ayatollah Ali Khamenei and President Ahmadinejad – and impose asset freezes and travel bans on them, while demanding the release of all prisoners of conscience.

For Saudi Arabia, where the problem is a religious ideology that represses competition and is exported through literature which fuels violence against disfavored groups, we recommend that the U.S. lift its waiver on punitive measures on the Saudis for these and other abuses.

And for Egypt and Pakistan, where the impunity problem is worsened by longtime government bias against religious minorities, we recommend that they be pressed not only to bring violent attackers to justice but also to repeal discriminatory degrees against religious minorities and abolish blasphemy codes. We also recommended in our 2012 Annual Report that both Egypt

and Pakistan be designated as CPCs for their severe, egregious violations of religious freedom, joining Iran, Saudi Arabia and other CPC nations.

Hopes for the Future

So what does the future hold for religious freedom in these and other Muslim-majority countries?

The initial revolutions of the Arab Spring were launched by citizens who rejected both violent religious extremism and secular dictators who sought to repress not just the extremists but the rest of the population.

By no means have these citizens gone away. They are still fighting for greater religious freedom and while they have suffered setbacks, they could well represent a critical mass of people across the Middle East and in other Muslim-majority areas.

Moreover, the efforts of various nations to draft constitutions provide a window of opportunity to consider how religious freedom can be enshrined in such documents. It is for this reason that earlier this year, USCIRF issued its report, "The Religion-State Relationship & the Right to Freedom of Religion or Belief." As Elizabeth will explain in a moment, the report analyzes how constitutions of countries belonging to the Organization of Islamic Cooperation treat issues of human rights and religious freedom.

Indeed, these constitutional processes provide a generational opportunity to enshrine the fundamental notion that all human beings in every nation have the right to think as they please, believe or not believe as their conscience leads, peacefully practice their beliefs, and express them openly without fear or intimidation.

They offer a chance to establish internationally recognized standards which affirm that religious freedom is for each and every person. That includes the right to manifest one's faith and convictions, individually or in one's community of faith, in public or in private, and the right to change one's religion. It is restricted only under narrow circumstances which international law specifies.

Make no mistake. Getting this process right will place countries on a positive trajectory, but getting it wrong by restricting religious freedom will guarantee future conflict and human rights violations. This is a human rights concern, of course, but also one of national security for everyone in the United States who wants a more safe and stable world.

Just last week, Egypt's Constituent Assembly hastily approved a draft constitution that is scheduled for a referendum on December 15.

Unfortunately, the draft includes a blasphemy provision and other problematic articles limiting religious freedom. While a number of countries in the Middle East and North Africa criminalize blasphemy in their penal codes, none have explicitly done so in their constitutions. By stifling the peaceful and constructive exchange of ideas, blasphemy laws underscore the intimate link between freedom of religion and freedom of expression. By punishing the expression of unpopular beliefs and opinions, blasphemy provisions not only violate both of these freedoms, but exacerbate intolerance and abet extremism and violence. Elevating blasphemy laws to a constitutional level would be a grave mistake indeed.

Despite these challenges, it is still very possible that religious freedom will progress in a number of nations we've mentioned today. To be sure, enshrining this freedom in a country's constitution won't ensure its respect in practice. Yet provisions limiting this right will taint legal systems, making respect for religious freedom extremely difficult on the ground.

Thus, constitutional texts really do matter, both as statements of a nation's laws and aspirations and as ways for people to hold their government accountable for protecting their rights.

Clearly, the struggle for religious freedom remains an uphill one, but the calls for protection of

this fundamental right are being amplified as never before.

They are being heard across countries and continents, demanding an end to the status quo of repression and impunity.

The message they send is clear: religious freedom matters and must be cherished.

It is time for governments around the world to hear and heed this message, for the sake of freedom and dignity, prosperity and security.

It is time for us – working together – to redouble our efforts to advance this great goal for all.

Thank you.

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